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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,579	12/05/2003	Sang-bo Lee	2557-000024/US/CPA	7315
30593	7590	01/25/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			HOANG, HUAN	
P.O. BOX 8910			ART UNIT	
RESTON, VA 20195			PAPER NUMBER	
			2827	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,579

Applicant(s)

LEE ET AL.

Examiner

Huan Hoang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 30-36 and 38 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-14, 26 and 29 is/are rejected.
- 7) ☒ Claim(s) 15-25, 27 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/283,124.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>120503</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 30-36 and 38 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/24/04.
2. Applicant's election with traverse of Group I in the reply filed on 11/24/04 is acknowledged. The traversal is on the ground(s) that "the Applicants expect that the Examiner will search in subclass 236 of class 365 during the examination of invention Group I. As such, the Examiner will not be unduly burdened by examining invention Group II." This is not found persuasive because Group II relates to a specific latency circuit having a plurality of pointer generating circuits creating a relationship between first pointers for identifying a time for read information receipt and second pointers identifying when to generate a latency signal with respect to the first pointers and a method of generating a latency signals using first and second pointers. The search for a memory having a latency circuit in Group I does not require the search for pointer generating circuits as claimed in Group II. These two different inventions are distinct and independent, each from the other because of the reasons as set forth in the Restriction Requirement. Therefore, the examination of both Groups would impose a serious burden on the Examiner.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 26 depends on claim 24 and recites the elements (a first ring shifter and first control logic) of the transfer signal generator and the elements (a second ring shifter and second control logic) of the sampling signal generator that are already recited in claim 24. Are “a first ring shifter”, “a first signal”, “first control logic”, “a second ring shifter”, “a second signal” and “second control logic” in claim 26 the same or different from those recited in claim 24? Therefore, the scope of claim 26 is unclear.

Double Patenting

5. Claims 1-14 and 29 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 7, 8, 9, 12, 14, 13, 10, 11, 13, 4, 5, 6 and 18 of U.S. Patent No. 6,707,759, respectively. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-14 are anticipated by claims 1, 2, 7, 8, 9, 12, 14, 13, 10, 11, 13, 4, 5, 6 and 18 of the patent.

Claim Rejections - 35 USC § 103

6. Claims 1-14 and 29 are rejected under 35 U.S.C. 103(a) as being obvious over Song.

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(I)(1) and § 706.02(I)(2).

Song discloses a memory device and a latency circuit having all the elements as recited in claims 1-14 and 29.

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The phrase "at least one transfer signal with at least one sampling signal" in claim 1 is considered "a plurality of transfer signals with a plurality of sampling signals" in the patent (column 3, lines 51-52).

Allowable Subject Matter

7. Claims 37 and 39 are allowed.
8. Claims 15-25, 27 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. Claim 26 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The prior art does not disclose or suggest "wherein the latency circuit selectively associates at least one of the sampling signals with at least one of the transfer signals by selectively activating at least one of a plurality of sampling signals", "wherein the latency circuit selectively associates at least one of the transfer signals with at least one of the sampling signals by selectively activating at least one of a plurality of transfer signals", "wherein the latency circuit selectively associates at least one of the sampling signals with at least one of the transfer signals by selectively activating at least one of a plurality of sampling signals and at least one of a plurality of transfer signals" and "a latency circuit selectively activating a first number of a plurality of sampling signals and a second number of a plurality of transfer signals based on CAS latency

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information to create a desired timing relationship between the first number of activated sampling signals and the second number of activated transfer signals, storing read information in accordance with at least one of the first number of activating sampling signals, and generating a latency signal based on an activated transfer signal associated with the activated sampling signal used in storing the read information.”

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shin discloses a circuit and method for generating output control signal in synchronous semiconductor memory device.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan Hoang whose telephone number is (571) 272-1779. The examiner can normally be reached on Mon-Fri 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huan Hoang
Primary Examiner
Art Unit 2818

HH
1/19/05.